

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Ana Flores, Rene Flores, Maria Magdalena Hernandez,
Magali Roman, Make the Road New York, and New York
Communities for Change,

Plaintiffs,

2:18-cv-03549 (ADS) (GRB)

v.

Town of Islip, Islip Town Board, and Suffolk County
Board of Elections,

Defendants.

DECLARATION OF AMY K. NEMETZ

AMY K. NEMETZ declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney with the law firm Paul, Weiss, Rifkind, Wharton & Garrison LLP, and I represent Plaintiffs Ana Flores, Rene Flores, Maria Magdalena Hernandez, Magali Roman, Make the Road New York, and New York Communities for Change. I am submitting this declaration in support of Plaintiffs' Post-Hearing Memorandum of Law in Support of Motion for Preliminary Injunction in this case.

2. The purpose of this declaration is to make part of the record the hearing exhibits and excerpts of a deposition transcript to which we refer in our accompanying memorandum of law.

3. Attached as Plaintiffs' Exhibit 10 is a true and correct copy of Jim O'Connor's "One of Us" campaign flyer, dated November 7, 2017.

4. Attached as Plaintiffs' Exhibit 11 is a true and correct copy of a campaign video from Sam Gonzalez's 2017 run for Islip Town Board, featuring Trish Bergin Weichbrodt stating that Mr. Gonzalez is "Not from Here."

5. Attached as Plaintiffs' Exhibit 12 is a true and correct copy of Steve Flotteron's "It's time for Republican Steve Flotteron to be our Suffolk County Legislator!" campaign flyer, dated November 7, 2017.

6. Attached as Plaintiffs' Exhibit 36 is a true and correct copy of an email from Angie Carpenter to the Suffolk County GOP regarding Babylon Council Districts, dated August 18, 2018.

7. Attached as Plaintiffs' Exhibit 42 is a true and correct copy of a letter from Mark Ladov, Daniel Altschuler, and Lucas Sanchez to Islip Town Supervisor Tom Croci regarding a request for a copy of the Enviroscience Consultants' June 3 report, dated July 17, 2014.

8. Attached as Plaintiffs' Exhibit 60 is a true and correct copy of a memorandum from Amol Sinha, Daniel Altschuler, Karina Claudio, and Brian Young to Suffolk County Executive Steve Bellone regarding Voter Issues in Suffolk County, dated December 19, 2012.

9. Attached as Plaintiffs' Exhibit 67 is a true and correct copy of a memorandum from New York Communities for Change and Make the Road New York to Islip Deputy Town Supervisor Eric Hofmeister and Town Councilman Anthony Senft regarding Toxic Dumping in Clemente Park and Additional Sites, dated May 14, 2014.

10. Attached as Plaintiffs' Exhibit 68 is a true and correct copy of an email from Monica Martinez to Daniel Altschuler regarding a letter sent to Town Councilman Anthony Senft about disseminating information to residents in English and Spanish, dated May 18, 2014.

11. Attached as Plaintiffs' Exhibit 69 is a true and correct copy of an email from Daniel Altschuler to Will James regarding a news release titled, "Town of Islip Disrespects Brentwood Residents at Meeting on Toxic Dumping in Local Park," dated May 21, 2014.

12. Attached as Plaintiffs' Exhibit 73 is a true and correct copy of an email from Javier Valdes to the Make the Road New York listserv regarding an advisory titled, "Islip Residents to Demand Transparency and Community Input in Roberto Clemente Park Clean-up", dated September 22, 2014.

13. Attached as Plaintiffs' Exhibit 74 is a true and correct copy of a Newsday article titled, "New groundwater-monitoring wells for Islip's tainted Roberto Clemente Park," dated January 6, 2015.

14. Attached as Plaintiffs' Exhibit 79 is a true and correct copy of a video recording of part of a Town Board meeting during which Nena Hernandez attempted to use translation services from a Town Employee, dated June 19, 2018.

15. Attached as Plaintiffs' Exhibit 108 is a true and correct copy of the Revised Expert Report of Andrew A. Beveridge, dated April 8, 2019.

16. Attached as Plaintiffs' Exhibit 115 is a true and correct copy of the Revised Expert Report of John R. Logan, dated April 15, 2019.

17. Attached as Plaintiffs' Exhibit 118 is a true and correct copy of the Revised Expert Report of Michael D. McDonald, dated April 8, 2019.

18. Attached as Plaintiffs' Exhibit 127 is a true and correct copy of a 2018 email from the Islip Republican Committee, signed by Republican Committee Chairman William Garbarino.

19. Attached as Plaintiffs' Exhibit 239 is a true and correct copy of Official Islip Town Board Minutes, dated March 26, 2015.

20. Attached as Plaintiffs' Exhibit 311 is a true and correct copy of the Supplemental Expert Report of Dr. John R. Logan, dated April 8, 2019.

21. Attached as Defendants' Exhibit B is a true and correct copy of the Declaration of Dr. John Alford, dated April 4, 2019.

22. Attached as Defendants' Exhibit O is a true and correct copy of a letter from Islip Town Board members Anthony Senft, John Cochrane, Jr., Steve Flotteron, and Trish Bergin Weichbrodt to residents regarding Roberto Clemente Park Update #3, dated May 13, 2014.

23. Attached as Defendants' Exhibit P is a true and correct copy of a letter from Islip Town Board members Anthony Senft, John Cochrane, Jr., Steve Flotteron, and Trish Bergin Weichbrodt to residents regarding Roberto Clemente Park Update #3, dated June 13, 2014.

24. Attached as Defendants' Exhibit R is a 2014 Town of Islip Informational Session flyer regarding Roberto Clemente Park, dated May 20th.

25. Attached as Defendants' Exhibit S is a true and correct copy of a screenshot of the Town of Islip "FAQs – Roberto Clemente Park Cleanup Project" webpage, dated April 4, 2019.

26. Attached as Defendants' Exhibit T is a true and correct copy of a screenshot of the Town of Islip "Proyecto de saneamiento del parque Roberto Clemente" webpage, dated April 4, 2019.

27. Attached as Defendants' Exhibit V is a true and correct copy of a screenshot of the Town of Islip "Community Updates" webpage, dated April 4, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 2019.

New York, New York

/s/ Amy K. Nemetz

Amy K. Nemetz